

# C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
OF SAN MATEO COUNTY

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

## AGENDA

The next meeting of the Legislative Committee  
will be as follows.

**PLEASE NOTE THAT WE WILL BE MEETING AT 6:00 P.M.**  
**in the 2<sup>nd</sup> Floor Auditorium !!**

**Date:** Thursday, December 13, 2007 – 6:00 p.m. to  
7:00 p.m. Dinner will be served.  
**Place:** San Mateo County Transit District Office<sup>1</sup>  
1250 San Carlos Avenue  
2<sup>nd</sup> Floor Auditorium  
San Carlos, California

PLEASE CALL DIANA SHU (599-1414) IF YOU ARE UNABLE TO ATTEND.

- |    |   |   |                      |                         |
|----|---|---|----------------------|-------------------------|
| 1. | Public comment on items not on the agenda.          | Presentations are limited to 3 minutes. |                      | 6:00 p.m.<br>5 minutes. |
| 2. | Approval of minutes from October 11, 2007.          | Action (Shu)                            | Pages S2             | 6:05 p.m.<br>5 minutes  |
| 3. | Review and Approval of State Legislative Priorities | Action (Shu)                            | Pages S3 attachments | 6:10 p.m.<br>15 minutes |
| 4. | Presentation from C/CAG's Lobbyist in Sacramento    | Potential Action (Chuck Cole)           | No attachments       | 6:25 p.m.<br>20 minutes |

A position may be taken on any legislation, including legislation not previously identified.

<sup>1</sup>From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue.

- |    |   |                              |                         |                        |
|----|---|------------------------------|-------------------------|------------------------|
| 5. | Approval of Resolution 07-52 authorizing the C/CAG Chair to execute an Agreement for State Legislative Advocacy professional services for a maximum amount of \$76,000<br><br>(The Legislative Committee will make the final recommendation.) | Action<br>(Shu)              | Pages S4<br>attachments | 6:45 p.m.<br>5 minutes |
| 6. | Establish date and time for next meeting.   | Action<br>(Gordon)           |                         | 6:50 p.m.<br>5 minutes |
| 7. | Other Items/Comments from Guests.   | Potential Action<br>(Gordon) |                         | 6:55 p.m.<br>5 minutes |
| 8. | Adjournment.  | Action<br>(Gordon)           |                         | 7:00 p.m.              |

**NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.**



**CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
LEGISLATIVE COMMITTEE**

**MINUTES  
MEETING October 11, 2007**

At 6:07 P.M. Chairwoman Deborah Gordon called the meeting to order in the Second Floor Auditorium at the San Mateo Transit District Office.

**Committee Members Attending:**

Deborah Gordon, Chair (C/CAG Member - Town of Woodside)  
Tom Kasten, Vice Chair (C/CAG Member - Hillsborough)  
Linda Koelling (C/CAG Member - Foster City)  
Marc Hershman (C/CAG Member – City of Millbrae)

**Guests or Staff Attending:**

Sepi Richardson (C/CAG Member - City of Brisbane)  
Richard Napier (C/CAG Executive Director)  
Sandy Wong (C/CAG Staff)  
Brian Moura (Assistant City Manager -San Carlos)  
Wes Lujan (Advocation)– via teleconference  
Diana Shu, (C/CAG Staff)

**1. Public comment on items not on the agenda.**

None.

**2. Approval of minutes from June 14, 2007.**

Quorum: minimum 5 voting members present (There were only 4 members present but committee members agreed to move on the action items and let Staff take it to the C/CAG board for final resolution.)

*Motion: Approve minutes as shown*

*Linda Koelling, first*

*Tom Kasten, second*

*Motion passed 4 Ayes-0 Nays*

**3. Briefing from C/CAG's Lobbyist in Sacramento (teleconference)**

- a. **AB 468 (Ruskin)** –Abandoned Vehicle Abatement (AVA) Program – Chaptered on Oct 10, 2007!

Assembly Member Ira Ruskin did an outstanding job in getting AB 468 through both houses and to the Governor. His team did an excellent job in working with legislators in both houses, CHP, AAA, and representatives from the towing company.



Special thanks to Chief Rothaus for his testimonies and the many trips and meetings he attended to help legislators understand the practical implications of the changes to the existing statutes.

**Action:** C/CAG staff will provide letters of appreciation to the Chair thanking all members of our delegation who supported this bill, plus key legislators and chairs for their leadership and support and to Captain Howland, CHP who provided much needed technical support.

- b. **SB 613 (Simitian)** –\$4 Motor vehicle fee for San Mateo County – currently with the Governor. Staff will report on status at next meeting. (Note bill was vetoed).
- c. **ACA 8 and AB 887** – Eminent Domain – League of Cities has their own bill regarding these issues. Bills will carry into 2008.
- d. **SCA 12 (Yee)** – Stormwater Fees -is a key bill in removing the required 2/3 vote for fee increases for stormwater projects. Legislators will be looking to see if there is sufficient and broad support at local levels to move this legislation forward.
- e. **SB 375 (Steinberg)** – Transportation Modeling – working with California Air Resources Board to make the bill more palatable.
- f. **AB 193 and AB 196** – Infrastructure Bond (Prop 1B) implementation. AB 193 allocates the debt to service the bonds. AB 196 will require the Controller to allocate \$950M from Prop 1B bonds to the FY 2007-08 budget for Local Streets and Roads.

**4. Status on C/CAG Sponsored Bills –Information Only**

AB 468 – AVA- Chaptered

SB 279 – Local Police enforcement of ban on parking of vehicles for sale on state highways- Chaptered

SB 613 – \$4 Motor Vehicle Fee reauthorization of AB 1546- Vetoed

SB 451 –Allow entities to use net metering on renewable energy systems – Vetoed

All other bills sponsored by C/CAG will move into second year.

**5. Review and Approval of Legislative Scorecard for 2007-08 Legislative Session- First Year**

- a. Overall score for local delegates is 100% in support of all C/CAG positions.
- b. Committee members suggested that additional recognition be given to delegates who sponsor C/CAG bills additional recognition for the extra effort and staff time necessary to carry the bills.

*Motion: Approve Legislative Score Card as shown*

*Linda Koelling, first*

*Tom Kasten, second*

*Motion passed 4 Ayes – 0 Nays – 0 Abstain*

6. **Review and Approval of a Request for Proposal/Qualifications for State Advocate**
- a. The Advocation contract has been renewed three times. So in accordance with Board Policy, C/CAG must issue a RFP/Q for a state advocate. Members suggested that the State Lobbying Activity website would be a good source of information about potential advocates: <http://cal-access.ss.ca.gov/Lobbying/>
  - b. Chair requested that a list of potential lobbyist be forwarded to the committee for their review and comments prior to sending RFPs.

*Motion: Approved RFP/Q as shown after sending list to committee members for comments*

*Tom Kasten, first*

*Linda Koelling, second*

*Motion passed 4 Ayes – 0 Nays – 0 Abstain*

7. **Review and Approval of 2008 Legislative Committee Schedule**

- a. For the 2008 Legislative Committee Calendar, Chair requested that meetings for the committee begin at 5:30 PM in lieu of 5:00 PM so that there will not be a large gap between the legislative committee meeting and the C/CAG board meeting. Also that a meeting in October 2008 be scheduled on October 16 because the regularly scheduled second Thursday, October 9 is Yom Kimpur and several members would be absent in observance of that day. **Action:** C/CAG staff to verify availability of room for October 16, 2008 for 5:30-9:00 PM.
- b. The Chair also suggested that the C/CAG Executive Director discuss the legislative committee agenda with the chair prior to setting the final agenda and starting times.

*Motion: Approved calendar with changes as shown*

*Tom Kasten, first*

*Linda Koelling, second*

*Motion passed 3 Ayes – 0 Nays – 1 Abstain*

8. **Establish date and time for next meeting.**

- a. November 11, 2007 at 6:00 PM Second Floor Auditorium at the San Mateo Transit District Office.

9. **Other Items/Comments from Guests**

None

10. **Adjournment**

- a. The meeting was adjourned at approximately 6:50 P.M



# C/CAG AGENDA REPORT

**Date:** December 13, 2007  
**To:** C/CAG Legislative Committee  
**From:** Richard Napier, Executive Director  
**Subject:** **Review and Approval of State Legislative Priorities  
for the 2008 Legislative Session**

(For further information or questions contact Diana Shu at 599-1414)

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## **RECOMMENDATION**

That the committee review and approve the proposed 2008 State Legislative Policies and Priorities in accordance with staff recommendations.

## **FISCAL IMPACT**

Many of the priorities listed in the attached document have the potential to greatly increase or decrease the fiscal resources available to C/CAG member agencies.

## **SOURCE OF FUNDS**

New legislation.

## **BACKGROUND/DISCUSSION**

Each year the C/CAG Board adopts a set of legislative priorities to provide direction to its Legislative Committee, staff, and its Lobbyist. The C/CAG Board in the past has established the following things that the priorities are intended to accomplish:

- Identify a clearly defined program with objectives at the beginning of the Legislative Session.
- Identify specific priorities to be accomplished for the Session by the Program and the Lobbyist.
- Limit the activities of C/CAG to areas where we can have the greatest impact.

The adoption of a list of priorities will hopefully maximize the impact of having a Lobbyist represent C/CAG in Sacramento and will also significantly reduce the amount of C/CAG staff time that is needed to support the program.

## **ATTACHMENTS**

1. C/CAG Proposed Legislative Policies and Priorities For 2008

## **ALTERNATIVES**

1. Accept proposed C/CAG Legislative Policies and Priorities for 2008 with changes
2. Postpone decision until next meeting.

**City/ County Association of Governments  
of  
San Mateo County**

**Proposed  
2008 State Legislative  
Priorities**

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2007 Legislative Priorities

- Priority #1 - *Secure stable funding to pay for increased NPDES mandates.*
- Priority #2 - *Protect against the diversion of local revenues including the protection of redevelopment funds and programs.*
- Priority #3 - *Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.*
- Priority #4 - *Support lowering the 2/3<sup>rd</sup> super majority vote for local special purpose taxes*
- Priority #5 - *Encourage the State to protect transportation funding*
- Priority #6 - *Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties*

Other Priorities:

*Support congestion pricing as a tool to manage traffic congestion.*

*Support the High Speed Rail Project*

*Guard the right of local jurisdictions to establish and enforce local land use policy (support the efforts of the League, but do not take an active role).*

*Support incentives for increasing low and moderate income housing stock, and oppose State housing mandates.*

*Support alternative energy initiatives*

## INTRODUCTION

The purpose of this document is to outline to the board, the legislative committee, staff, and to the legislative consultant key state legislative issues of interest to the cities and county that make up the City/ County Association of Governments.

## KEY ISSUES

Each legislative year brings its own set of challenges and 2008 will be no exception. As the 2007 year ends, according to the State's Legislative Analyst's Office, the State's projected FY 2007-08 shortfall is estimated to be greater than \$2 billion with an expected gap of \$10 billion in the FY 2008-09 budget.

In November, the California Department of Finance stated that, "The ongoing housing slowdown continues to hamper the California economy. Construction and finance have been notable weak spots in recent employment reports. Home building and home sales slowed significantly in September, while home prices dropped."

Top on the list of issues for the Governor are: home foreclosures, public and private partnerships to meet infrastructure needs, the environment, water reforms, and healthcare.

In 2006, voters approved Proposition 1B which provides \$20 billion in general obligation bonds for transportation projects. In 2007, the legislature appropriated \$4.2 billion in various projects with the bulk of the appropriations going to Local Streets and Road projects. The challenge for local government will be to use these funds or lose it.

The lists of bills contained in this document are not a final list but a representation of the types of bills that C/CAG has interests in. As new bills or amendments are introduced, staff will be adding or deleting bills from this list. Also, as this is the second year, bills that were vetoed in 2007 may be finding new bills to "gut and amend" so it will be an interesting session.

Tables show positions held by:  
C/CAG – City/ County Association of Governments  
MTC – Metropolitan Transportation Commission  
CSAC – California State Association of Counties  
LOCC – League of California Cities

S = support  
O = oppose  
W = watch

Highlighted areas are staff recommended newly proposed policies.



## POLICIES AND PRIORITIES

### Environment, National Pollution Discharge and Elimination System, Water, and Stormwater Issues

2007 Priority #1

2008 Priority \_\_\_\_\_

*Secure stable funding to pay for increased NPDES mandates.*

- Support efforts to exempt NPDES from the super majority voting requirements.
- Include NPDES as a priority for funding in new sources of revenues (i.e. water bonds).
- Advocate for C/CAG and San Mateo County jurisdictions to be identified as a pilot project to receive earmarked funding.
- Support efforts to reduce NPDES requirements as a way to stimulate business development while still working to improve the quality of the Ocean, Bay, streams, creeks, and other waterways.
- Support efforts to reform the NPDES program while still working to improve the quality of the Ocean, Bay, streams, creeks, and other waterways.
- Support efforts to place the burden/ accountability of reporting, managing and meeting the NPDES requirements on the responsible source not the City or County.
- Oppose efforts to require quantitative limits and Total Maximum Daily Load (TMDL) measures since there are insufficient scientific methods to evaluate the benefits. For this reason C/CAG instead supports the implementation of Best Management Practices (BMP's) to the maximum extent practicable.

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
AB 938	2 <sup>nd</sup> policy	Regional water management			S	S
AB 1338	2nd policy	Public resources: local coastal programs: nonpoint source pollution.				S
AB 1380	1 <sup>st</sup> policy	priority shall be given to projects that benefit underserved communities or that target at-risk youth.				W

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
AB 1489	2 <sup>nd</sup> fiscal	Resource bond funds: Integrated Regional Water Management Planning Act				W
AB 1602	2 <sup>nd</sup> policy	Environment: Sustainable Communities and Urban Greening Program.				W
SB 378	2 <sup>nd</sup> policy	Disaster Preparedness and Flood Prevention Bond Act of 2006.				W
SB 732	2 <sup>nd</sup> flr	Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.				W
SB 947	2 <sup>nd</sup> policy	California Environmental Quality Act: consultation: transportation facilities.				W
SB 1052	1 <sup>st</sup> desk	Water Supply Reliability Bond Act of 2008.				
SBX 2	1 <sup>st</sup> Flr	Water quality, flood control, water storage, and wildlife preservation.				
SBX2 - 2	1 <sup>st</sup> flr	Safe Drinking Water Act of 2008.				
SBX2- 3	1 <sup>st</sup> fiscal	Water Supply Reliability Bond Act of 2008.				
SBX 2- 4	1 <sup>st</sup> fiscal	Water resources: bond funds.				
SCA 12	1 <sup>st</sup> flr	Local government: property-related fees.	S		S	S

## Housing, Land Use, and Eminent Domain Issues

2007 Priority # 2a

2008 Priority \_\_\_\_\_

*Protect against the diversion of local revenues including the protection of redevelopment funds and programs.*

- The 20% redevelopment housing set aside is the primary source of housing funds for cities and counties and must be protected and preserved.

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
ACA 2	1 <sup>st</sup> policy	Eminent Domain			O	O
ACA 8	1 <sup>st</sup> flr	Eminent Domain	S		S	S
AB 887	2 <sup>nd</sup> Flr	Redevelopment: eminent domain: relocation assistance.	S			W
SB 46	2 <sup>nd</sup> fiscal	Infill incentive program				W
SB 303	2 <sup>nd</sup> policy	Local government: land use planning.	O			O
SB 546	2 <sup>nd</sup> floor	Bond fund expenditures				W

## Housing, Land Use, and Eminent Domain Issues

2007 Priority # 2b

2008 Priority \_\_\_\_\_

- Support League of California Cities, Metropolitan Transportation Commission, and the California State Association of Counties in protecting local revenues including interpretation and implementation of Proposition 1A and 1B

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
AB 995	2 <sup>nd</sup> flr	Prop 1B Trade Corridors				W
AB 1170	2 <sup>nd</sup> fiscal	State mandates				W
AB 1351	2 <sup>nd</sup> fiscal	State and Local Partnerships				W
SB 9	2 <sup>nd</sup> fiscal	Trade Corridor Improvement project selection				W
SB 286	2 <sup>nd</sup> fiscal	Transportation bonds: implementation.	S		S	S
SB 375	2 <sup>nd</sup> fiscal	Transportation planning		S	O	O
SB 748	2 <sup>nd</sup> Fiscal	State and Local Partnerships		S	S	S

## Finance and Government Operations

2007 Priority # 3

2008 Priority \_\_\_\_\_

*Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.*

- Ensure that there is real local representation on State Boards and Commissions that are establishing policies and requirements for local programs.
- Advocate for the appointment of Administration Officials who are sensitive to the fiscal predicament faced by local jurisdictions.
- Oppose State action to dictate wage and benefits for local employees.
- Oppose State action to restrict the ability of local jurisdictions to contract for services.
- Advocate for State actions that are required to take into consideration the fiscal impact to local jurisdictions.

2007 Priority # 4

2008 Priority \_\_\_\_\_

*Support lowering the 2/3<sup>rd</sup> super majority vote for local special purpose taxes.*

- Support bills that reduce the vote requirement for special taxes such as public safety, infrastructure, and transportation.
- Oppose bills that lower the threshold, but dictate beyond the special tax category, how locally generated funds can be spent.
- Support bills that reduce the vote requirement for special taxes but increase the vote requirement for general taxes.

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
AB 239	2 <sup>nd</sup> Policy	Recording fees: Contra Costa and San Mateo Counties.	S			W
SCA 12	1 <sup>st</sup> Flr	Eliminate 2/3 majority vote for stormwater	S		S	S

2007 Priority #5

2008 Priority \_\_\_\_\_

*Encourage the State to protect transportation funding*

- Support Metropolitan Transportation Commission's proposed legislation to increase regional gas tax up to 10 cents per gallon.
- Urge the State to restrict or eliminate transfer of State transportation funds to the State General Fund.
- Urge the State to continue to pursue a solution to the Federal Ethanol tax problem.
- Urge the State to pay back the previous loans within the next four years. Support Metropolitan Transportation Commission's proposed legislation to fully fund Proposition 42 funds
- Support Metropolitan Transportation Commission's proposed legislation to allow urban counties to swap federal surface transportation program funds for state funds

2007 Priority #6

2008 Priority \_\_\_\_\_

*Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties*

- Support measures to realign the property tax with property related services
- Support measures to ensure that local governments receive appropriate revenues to service local businesses.
- Support measures to collect sales tax on Internet transactions.
- Support expansion of the sales tax to personal and professional services.

#### **Other Transportation**

2007 Priority # none

2008 Priority \_\_\_\_\_

*Support congestion pricing as a tool to manage traffic congestion.*

- Support a congestion pricing demonstration on the Dumbarton Bridge (such as a high-occupancy-toll lane) to address traffic congestion in the 2020 Peninsula Gateway Corridor study area

2007 Priority # none

2008 Priority \_\_\_\_\_

***Support the High Speed Rail Project***

- ***Support legislation that funds the High Speed Rail Project***

## Other Housing, Land Use, and Eminent Domain Issues

2007 Priority # none

2008 Priority \_\_\_\_\_

*Guard the right of local jurisdictions to establish and enforce local land use policy (support the efforts of the League, but do not take an active role).*

- Oppose efforts to limit the ability of local jurisdictions to determine appropriate land uses within its boundaries.
- Support efforts that provide added flexibility to local jurisdictions so that they can implement smart growth programs.

2007 Priority # none

2008 Priority \_\_\_\_\_

*Support incentives for increasing low and moderate income housing stock, and oppose State housing mandates.*

- Support efforts to allow jurisdictions to contribute to affordable housing projects in other jurisdictions and receive State credit for the contribution.
- Oppose State dictated criteria for the approval of housing.
- Support incentives for housing that represent new funding.
- Oppose redirecting existing revenues and adding new requirements.  
Support efforts to give jurisdictions increased flexibility to meet housing needs.



## Energy and Alternative Fuels

2007 Priority # none

2008 Priority \_\_\_\_\_

### *Support alternative energy initiatives*

- Support efforts to develop incentives for alternative energy and green building programs including reclaimed water.
- Coordinate with BAWSCA and support efforts to provide a reliable supply of quality water at a fair price.
- Support bills which favor net metering as a way for local jurisdictions to reduce operating costs

Bill	Status	Description	C/CAG	MTC	CSAC	LOCC
AB 1223	2 <sup>nd</sup> policy	Public utilities: net energy metering			W	W
AJR 3	1 <sup>st</sup> policy	Low-income home energy assistance.			W	W



# C/CAG AGENDA REPORT

**Date:** December 13, 2008

**To:** C/CAG Legislative Committee

**From:** Richard Napier, C/CAG Executive Director

**Subject:** Approval of Resolution 07-52 authorizing the C/CAG Chair to execute an Agreement for State Legislative Advocacy professional services for a maximum amount of \$76,000 per year  
(The Legislative Committee will make the final recommendation.)

(For further information contact Diana Shu at 599-1414)

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## **RECOMMENDATION**

That Committee recommend to the Board Resolution 07-52 authorizing the C/CAG Chair to execute an Agreement for State Legislative Advocacy professional services for a maximum amount of \$76,000 per year in accordance with the staff and Legislative Committee recommendation.

## **FISCAL IMPACT**

The cost of the outside lobbyist for 2008 is \$76,000. This amount has already been programmed into the FY 2007-08 C/CAG budget.

## **SOURCE OF FUNDS**

The source of the funds for the lobbyist will be from (1) Congestion Management and (2) National Pollutant Discharge Elimination System (NPDES) revenues.

## **BACKGROUND/DISCUSSION**

Since 2002, C/CAG has used the services of a legislative advocate to move issues of local concern to the state legislature. Staff was instructed by the board to review the need for a legislative advocate. Staff found that the cost to benefit ratio of having a legislative advocate to be on the order one to thirty eight in favor of having an advocate.

Since our current consultant has been with C/CAG since 2002, and has had their contract extended for three consecutive terms, board policy requires another call for proposals to be implemented to ensure that the services received for fees are still in line with other advocates.

On November 2, 2007 staff sent out Requests for Proposals to six potential lobbyists. On November 16, 2007, staff received one proposal, two letters declining the invitation to submit proposals, and three no responses. The one response was from the incumbent lobbyist. Copies of the responses are attached to this report for reference.

Upon the request of the C/CAG Chair, in conformance to C/CAG policies, interviews with the incumbent will be held to determine whether to re-authorize the incumbent or request staff to issue another call for proposals. A subcommittee composed of members of the Legislative Committee, Irene O' Connell; Deborah C. Gordon, and Richard Napier, will serve on the interview panel.

Based on the outcome of the interviews and review, staff will forward the subcommittee's recommendation to Legislative Committee at the Legislative Committee meeting.

### **ATTACHMENTS**

- Resolution 07-52 – authorizing the C/CAG Chair to execute an Agreement for State Legislative Advocacy professional services for a maximum amount of \$76,000 per year.
- Draft Agreement with Exhibit A
- Advocation, Inc's proposal
- Letters and emails from other lobbyists declining the invitation to submit a proposal for services.

## RESOLUTION 07-52

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**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
OF SAN MATEO COUNTY (C/CAG) RESOLUTION 07-52 – AUTHORIZING THE  
C/CAG CHAIR TO EXECUTE AN AGREEMENT FOR STATE LEGISLATIVE  
ADVOCACY PROFESSIONAL SERVICES FOR A MAXIMUM AMOUNT OF \$76,000  
PER YEAR**

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**RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

**WHEREAS**, C/CAG is a joint powers agency representing all twenty-one local jurisdictions in San Mateo County; and

**WHEREAS**, the C/CAG Board has determined that it is vital and necessary that its interests be actively promoted with the California Legislature and Administration; and

**WHEREAS**, C/CAG has determined that outside lobbying services would be the most appropriate method to ensure that C/CAG is adequately represented in the legislative and administrative processes in the Capitol of the State of California; and

**WHEREAS**, xx competed through a request for proposals and qualifications; and

**WHEREAS**, xx has verified that it is qualified and properly licensed to provide these services; and

**WHEREAS**, the C/CAG Board has determined that it desires these services for calendar year 2008, ending on December 31, 2008.

**NOW, THEREFORE, BE IT RESOLVED** that the Chair of the Board of Directors of C/CAG is hereby authorized and directed to execute said agreement for a maximum of \$76,000 per year for and on behalf of C/CAG, subject to approval as to form by C/CAG Legal Counsel.

**PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF DECEMBER 2007.**

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*Deborah C. Gordon, Chair*

**AGREEMENT BETWEEN  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
AND \_\_\_\_\_ FOR  
PROFESSIONAL SERVICES**

This Agreement entered this 13<sup>th</sup> Day of December, 2007, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and \_\_\_\_\_, hereinafter called "Contractor."

**W I T N E S S E T H**

WHEREAS, C/CAG is a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans; and,

WHEREAS, C/CAG is prepared to enter into an agreement with \_\_\_\_\_; and

WHEREAS, C/CAG has determined that Contractor has the requisite qualifications to perform this work.

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. Services to be provided by Contractor. In consideration of the payments hereinafter set forth, Contractor agrees to perform the services described in Exhibit A.
2. Payments. In consideration of Contractor providing the assistance and services authorized by C/CAG staff, C/CAG shall reimburse Contractor based on a monthly invoice submitted by the Contractor and approved by C/CAG that identifies expenditures and describes services performed in accordance with this agreement for a total amount of \$76,000 per year.
3. Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. Non-Assignability. Contractor shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any

attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.

5. Contract Term. This Agreement shall be in effect as of December 13, 2007 and shall terminate on December 30, 2008; provided, however, the C/CAG Chairperson may terminate this Agreement at any time for any reason by providing 30 days' notice to Contractor. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Contractor shall be paid for all approved deliverables provided by the date of termination.
6. Hold Harmless/ Indemnity: Contractor shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the performance by Contractor of its duties under this Agreement.

The duty of the parties to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

7. Insurance: Contractor or its subcontractors performing the services on behalf of Contractor shall not commence work under this Agreement until all Insurance required under this section has been obtained and such insurance has been approved by the C/CAG Staff. Contractor shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy.

Workers' Compensation and Employer Liability Insurance: Contractor shall have in effect, during the entire life of this Agreement, Workers' Compensation and Employer Liability Insurance providing full statutory coverage.

Liability Insurance: Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect the Contractor, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by the Contractor or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

	Required Amount	Approval by C/CAG Staff if under 1,000,000
	\$	
a. Comprehensive General Liability	\$ 1,000,000	_____
b. Workers' Compensation	\$ Statutory	_____

C/CAG and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if C/CAG, or its officers and employees have other insurance against a loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the C/CAG Chairperson, at his/her option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

8. Non-discrimination. The Contractor and its subcontractors performing the services on behalf of the Contractor shall not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.
9. Accessibility of Services to Disabled Persons. The Contractor, not C/CAG, shall be responsible for compliance with all applicable requirements regarding services to disabled persons, including any requirements of Section 504 of the Rehabilitation Act of 1973.
10. Substitutions: If particular people are identified in this Agreement as providing services under this Agreement, the Contractor will not assign others to work in their place without written permission from C/CAG. Any substitution shall be with a person of commensurate experience and knowledge.
11. Sole Property of C/CAG: Any system or documents developed, produced or provided under this Agreement shall become the sole property of C/CAG.



12. Agreement Renewal. This Agreement may be renewed for an additional two (2) years upon approval by the C/CAG Board and Contractor.
13. Access to Records. C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Contractor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions.

The Contractor shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.

14. Merger Clause. This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the C/CAG Chairperson. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.
15. Governing Law. This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

IN WITNESS WHEREOF, the parties hereto have affixed their hands on the day and year first above written.

**Contractor**

By \_\_\_\_\_  
Date \_\_\_\_\_

Contractor Legal Counsel

By \_\_\_\_\_

**City/County Association of Governments (C/CAG)**

By \_\_\_\_\_  
Deborah C. Gordon, C/CAG Chair Date \_\_\_\_\_

C/CAG Legal Counsel

By \_\_\_\_\_  
Miruni Soosaipillai, C/CAG Counsel

## **Exhibit A SCOPE OF SERVICES**

The purpose of this contract is to retain a part-time contractor to:

Monitor and review a limited number of pending legislation, policies, and regulations, and Advocate C/CAG's interests with the California Legislature and its members and other parties as appropriate.

Bills tracked by the contractor and the C/CAG Legislative Committee may include any subject matter that is of concern to C/CAG member agencies (20 cities and County). During the active legislative session the contractor will be directed to focus attention on a few specific bills (5 to 10 bills) that will be identified by C/CAG and its Legislative Committee as being high priority.

Some of the typical activities that could be performed by the contractor may include:

### **General**

Assist in the development of strategies for advancing actions at the State level that are beneficial to C/CAG and its member agencies.

Represent and advocate on behalf of C/CAG in its dealings with relevant State agencies and related interest groups including but not limited to 1) California Legislature, 2) Governor's Office, 3) Individual Legislators and their staff members.

### **Facilitate Communication**

Develop and maintain contact with members of the Legislature and state agencies in order to facilitate regular communication with and about C/CAG.

Meet with State representatives on a regular basis to provide briefings on issues of interest or concern to C/CAG.

Solicit input from State representatives on issues of concern to C/CAG and report it to C/CAG on a regular basis.

Arrange appointments with Legislators and other State representatives to meet with C/CAG representatives.

Coordinate with legislative advocates for other public agencies such as the League of California Cities, California State Association of Counties, Metropolitan Transportation Commission, etc.

## **Monitor and Evaluate**

Identify and evaluate the potential impact of proposed legislation, policies, and regulations on C/CAG and its member agencies.

Work with State representatives to identify and amend bills and other proposed legislative or regulatory language in order to meet C/CAG concerns.

Advocate C/CAG's position to appropriate State legislative, executive, and administrative committees, board, and commissions.

## **Initiate and Advocate**

Advise C/CAG on opportunities to pursue C/CAG objectives through the Legislature and various State agencies.

Assist in drafting legislation on behalf of C/CAG.

Formulate and manage strategies to achieve passage of C/CAG's legislative initiatives (if any).

Make presentations to and testify on behalf of C/CAG before legislative and administrative bodies.

## **Report and Respond**

Provide regular reports summarizing the Contractor's activities under the contract with C/CAG.

Appear before the C/CAG Board and/or Legislative Committee to provide an overview and summary of current and future activities or to report on a particular item of concern to C/CAG.

Respond to C/CAG's requests for information about pending State legislation, regulations, or policies.

**Proposal to the City/County Association of Governments of  
San Mateo County for Lobbying Services**

**Submitted by**

**Advocation, Inc.**

1121 "L" Street, Suite 610

Sacramento, CA 95814

(916) 447-8229

(916) 447-3447 FAX

E-mail: [cwilson@advocation-inc.com](mailto:cwilson@advocation-inc.com)

**Overview and Qualifications**

Advocation, Inc., founded in 1971, currently represents over 28 corporations, association and public clients, including such blue-chip companies as Tejon Ranchcorp, the Prudential Insurance Company and Federal Express. Advocation is a California "C" Corporation, and has been designated as a "small business enterprise" by the California Department of General Services.

Advocation has been instrumental in forging key legislative policies on behalf of its clients. Those successes, and others, have helped place Advocation among the top lobbying firms in the state. The most successful lobbyists are those who are best at establishing and maintaining strong working relationships with both legislators and clients, and perhaps no one in Sacramento has proven better at winning friends and influencing people than the Advocation team. Advocation's ability to explain all the merits and demerits of a bill – clearly present both sides of an issue – and the firm's reputation for veracity and knowledge is second to none, perhaps explaining its exceptional legislative success rate for its clients.

Advocation's foremost function is to lobby. We are interested in representing the City/County Association of Governments of San Mateo's (C/CAG) policy objectives by advancing proposals, monitoring legislation and regulations, presenting your position on key issues and assisting in strategic planning regarding your priorities. When necessary, Advocation will implement crisis intervention to protect our client's interests.

Our firm has a strong knowledge of local government issues through our representation of nine local agencies, and our current representation of C/CAG's issues and project priorities in particular since 2003. Advocation has most recently helped garner the successful passage of Assembly Bill 468 (Ruskin, 2007) on behalf of C/CAG which helped clarify an adverse interpretation to the Association's current implementation and management of the abandoned vehicle abatement program. Additionally, in 2004 Advocation sponsored Assembly Bill 1546 (Simitian, 2004) on behalf of CCAG; this measure and resulting \$4 motor vehicle fee has generated millions of dollars for congestion management and the management of storm water pollution within the County. This past legislative year, Advocation sponsored Senate Bill 613 (Simitian, et al.) which would have extended the fee through 2019. Even though the Governor vetoed the measure, in his message he committed to sign a measure with a four year extension after the proper deliberation in the Legislature on the existing pilot program.

As the legislative game and process changes, as well as the individual Legislators, Advocation is constantly assessing its techniques and interaction in the process. This continues to validate the firm's premiere status among lobbying firms. In addition, Advocation recognizes the increasing importance of well-documented, substantive presentation of the issues to the members of the Legislature. No longer can relationships alone carry the day in the Legislature. Advocation devotes additional resources and staff to develop substantive background information and briefing papers. Critical for the Legislature's understanding of an issue is the identification of the policy underpinnings and background driving the position of C/CAG.

Advocation has extensive qualifications to serve the C/CAG of San Mateo County, including established contacts with the Governor's office, the members of both parties in both houses of the Legislature, the California Congressional delegation, and various cities, counties, special districts and school districts. We have a very close working relationship and access to cabinet-level and other senior staff in the Governor's office and state agencies. We have staff with direct state Administration experience, including Chuck Cole, President of Advocation, who served as Director, Public Employment Relations Board under Republican and Democratic Administrations. Mr. Cole has had an excellent working relationship with Governor Arnold Schwarzenegger and his Administration.

Our reputation for successful lobbying serves to enhance our ability to have an impact on the legislative process for the benefit of our clients. Further, our significant client list affords our lobbyists regular and continual access to decision makers. Such access enables us to maintain and solidify working relationships with the leadership and members of the Legislative and Executive branches of state and local government. The length and breadth of our experience provides us with the familiarity of the process of government that translates into effective advocacy for our clients.

Advocation proposes to assign Mr. Charles Cole as principal lobbyist for CCAG on a day-to-day basis. Advocation agrees to structure Mr. Cole's workload so that he will devote a substantial amount of his time in service to CCAG. In addition, Mr. Cole will be in charge of strategic counsel and communication with key policy makers on behalf of CCAG.

Advocation's office is located at 1121 L Street, Suite 610, Sacramento, California, 95814. This location, right across the street from the Capitol, is ideal for a lobbying firm and its clients. We have a full-time support staff available to assist the C/CAG at any time during the workday. Additionally, our lobbyists are available 24 hours a day, every day of the year by telephone. Two conference rooms and guest offices are available for use by our clients upon request. These facilities have speakerphones, faxes, and live telephone and radio coverage for all legislative hearing rooms. Additionally, we maintain computer based management information systems to monitor legislative issues. Through the legislative bill service, we monitor each bill as it is introduced and amended to identify issues of interest to our clients. We also are on the mailing lists of relevant state agencies.

### **Proven Experience**

Since its first years in business, Advocation has extensively represented private sector interests, starting with the Howard Hughes Corporation back in the 1970's. Throughout the firm's tenure in Sacramento, our client base has diversified to include a broad range of clients, including a variety of local governments. It is our opinion our diversity is our strength. Our "bottom line"

approach to issues is a private sector perspective that has been valuable to our public sector clients.

There are many firms in Sacramento that tend to specialize in local government and other issue areas. We are generalists by nature and as a result have a broad exposure to legislators and stakeholder interests, which will benefit our clients. Here are some of the projects and legislative initiatives we have worked on for our local government clients over past legislative sessions:

#### County of Amador

- Secured \$100,000 in the 06/07 budget in Assembly Bill 1820 for the establishment of a community college distance learning center. This funding will be used to match funds from the United State Rural Development Agency. This project is a partnership between the County and Consumnes River College.

#### Chula Vista

- Secured legislation that provided \$13 million in funding to establish a Veteran's Home in Chula Vista. Created a mechanism and passed legislation to provide a revenue stream of supplemental subventions to pay for Redevelopment Agency bonded indebtedness of \$4 million. Lobbied the Library Bond Allocation panel, which approved and funded library proposals. This resulted in \$6.7 million to build the newest library in Chula Vista. Sought amendments to legislation to make Park Bond funding available for the Chula Vista Nature Interpretive Center. Successfully lobbied legislators and the Governor to help create the Olympic Training Center and provide a \$15 million loan to build the Center.

#### Oakland

- Assisted the City of Oakland in obtaining over \$20 million of project and revenue funding resources for the following projects: Chabot Space Center and Observatory, Lake Merritt Retaining Walls, D.C. Metal Site – Cal EPA clean up, Sanborn Park, State Apprenticeship funds, Oakland Museum of California, Highway, Outdoor Advertising, Jet fuel sales tax revenue and other transportation related projects.

#### San Mateo City/County Association of Governments (C/CAG)

- Secured legislation (AB 1546, Simitian 2004) that authorized the City/County Association of Governments in San Mateo (a joint powers authority) to levy a \$4 motor vehicle fee for storm water/NPDES and congestion management programs. This bill will raise \$10.6 million for these programs.

#### Visalia

- Secured legislation (AB 2758, Briggs 2002) that authorized the City of Visalia to levy a .25 percent transactions and use tax to be expended solely in providing public safety and law enforcement services in that city. This tax was approved in March of 2004 and will provide \$3.6 million annually for public safety and law enforcement and public safety activities for the next 10 years.

County of Mariposa:

- Sponsoring Senate Bill 277 and 524 (Cogdill) to appropriate up to \$200,000 from the General Fund to the Controller for allocation to counties without cities (Alpine, Mariposa, and Trinity) in recognition of the municipal services they provide.

The abovementioned achievements are only a sampling of what we have done for our local government clients. We have also completed additional local government projects, as well as numerous projects for our private sector clients, which we would be happy to elaborate on in person. We are a results oriented firm, and tend to look for ways to help our clients both fiscally and logistically in seeking their goals and objectives.

**The Advocation Team**

**Chuck Cole**

Chuck Cole, President of Advocation, has over 32 years of experience in federal, state, and local government as an official and advocate. Prior to becoming a lobbyist with Advocation, Mr. Cole served as Chief of Staff to the Senate Majority Leader, Barry Keene, where his responsibilities ranged from coordinating Senate Policy initiatives to assisting Senate members in accomplishing their legislative goals. Mr. Cole had also served in several staff positions in the Assembly, including consultant to the Assembly Committees on Water, Parks and Wildlife; Public Employment and Retirement; and Ways and Means. During the 1970-71 Assembly Internship Program he served on the staff of the Assembly Majority Floor Leader, W. Craig Biddle. He also worked in Washington, D.C. for Congressman John V. Tunney of Riverside, California.

In 1975, Mr. Cole was selected to serve as the Executive Director of the newly created Educational Employment Relations Board and was subsequently asked to serve as the Director of the Public Employment Relations Board. He held this position for 12 years and was responsible for implementing the law and coordinating the agencies \$6 million budget.

He is an alumnus of the University of California at Riverside and the University of California at Davis Executive Program. In 2006, Mr. Cole received the first ever "Alumni Service Award" from UCR. Mr. Cole served as the California Marketing Manager for Envirotech Systems Corporation, an international supplier of motor vehicle emission testing and inspection programs.

Before joining the firm he developed extensive experience with local government as an advocate and an official. He served as chair and member of the Sacramento County Planning Advisory Councils for Citrus Heights and Carmichael. In this capacity he reviewed development projects at local community forums and provided recommendations to the County Board of Supervisors.

**Celeste Heritage**

Celeste Heritage, Vice President of Advocation and legislative advocate, has been with Advocation for 15 years. She has over 30 years of political experience at both the federal and state levels. Ms. Heritage served as deputy to the Director of Polling and Planning in the 1980 and 1984 Reagan/Bush campaigns. In 1981, she served in the Reagan White House as a



Special Assistant to Edwin Meese, Counselor to the President. In 1986, Ms. Heritage was appointed a Special Assistant in the San Francisco office of the Department of Housing and Urban Development. Ms. Heritage is a graduate of Kent State University.

Advocation is currently adding to its staff to replace Mr. Wes Lujan who recently accepted the position of Director of Public Affairs for California and Nevada for the Union Pacific Railroad. Advocation will continue to keep C/CAG apprised of new employees we may add in the future.

#### **Kevin Cole**

Kevin is the newest member of our team. Kevin is the Account Manager for Griffith Solutions which is a Sacramento based software development firm. Kevin has been managing technical staff and serves as the liaison between clients and staff.

In that capacity, he structures project operations in line with client contracts to ensure that they are completed successfully. Kevin also oversees and manages the administrative aspects of his project operations role.

In addition, Kevin is the Business Operations Director of Innovative Government, Inc., a Sacramento based DVBE construction management firm. Utilizing his leadership and interpersonal skills, Kevin is operating a program to provide construction management staffing to large institutions. He is a member of the Urban Land Institute, which is an organization that promotes the responsible use of land in communities worldwide.

#### **Carole Wilson**

Ms. Wilson has spent her entire career in the lobbying firm support arena working in another top lobbying firm for over 20 years before coming to Advocation. She is primarily responsible for client legislative support. She acts as the firm's liaison with legislative staff members and the Governor's office; monitors hearings; tracks all legislation and schedules appointments with members of the Legislature and the Administration for lobbyists and clients.

**November 14, 2007**

**Page Six**

**Current Client List**

Aircraft Owners & Pilots Association  
Amador Regional Sanitation Agency  
California Financial Service Association  
California Moving & Storage Association  
California Naturopathic Doctors Association  
California Sod Producers Association  
California Tax Education Council  
The Chadmar Group  
City of Chula Vista  
City of Huntington Beach  
City of Visalia  
County of Amador  
County of Madera  
County of Mariposa  
County of Plumas  
Federal Express Corporation  
Fresno County Transportation Authority  
Global Discoveries, Ltd.  
Grand Pacific Resorts  
Kings County Ventures, LLC  
National Association of Computer Consultant Businesses (NACCB)  
Pacific Merchant Shipping Association  
Samaritan Ministries International  
San Mateo City/County Association of Governments  
Specialty Equipment Market Association (SEMA)  
Tejon Ranchcorp  
The Prudential Insurance Company

## **Client References**

### *References:*

Please contact the following individuals regarding some of the abovementioned projects referenced in this section and Advocation's work on their behalf in Sacramento.

Ms. Colleen Carnevale  
Government Relations Liaison  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910  
(619) 409-3801

Ms. Carol Cairns  
Assistant City Manager  
City of Visalia  
425 East Oak Ave., #301  
Visalia, CA 93291  
(559) 713-4324

Mr. Bob Pickard, Supervisor  
County of Mariposa  
P.O. Box 784  
Mariposa, CA 95338  
(209) 966-3222

Mr. Louis Boitano, Supervisor  
Mr. Richard Forester, Supervisor  
County of Amador  
810 Court Street  
Jackson, CA 95642  
(209) 223-6470

## **Costs and Proposal for Services**

To provide the types of service outlined in this proposal for all bills of concern to C/CAG, we propose to represent the City/ County Association of Government's of San Mateo County (C/CAG) at a rate \$70,000 per year. We would be pleased to discuss this fee based on further clarification of the C/CAG legislative program and the scope of work required.

In addition to all of the requirements contained in the Scope of Service specified in the RFP from C/CAG, the following list of services will be provided for the above-mentioned retainer:

1. Representing C/CAG in meetings or hearings with State agencies, boards, commissions and other legislative bodies, as well as testifying on behalf of C/CAG.
2. Researching and providing information to C/CAG on (a) State laws or proposed legislation, (b) legislative hearings, reports and testimony; (c) State regulations/policies, (d) funding opportunities for proposed C/CAG projects and (e) technical memoranda or reports impacting C/CAG operations.

3. Developing strategies to successfully implement C/CAG's legislative program.
4. Providing sufficient support to lobby aggressively an average of three to four major priority issue areas at any given time, along with six to seven lesser priorities. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.
5. Providing C/CAG with copies of bills (as introduced or amended) or proposals pertaining to issues of concern/interest to the C/CAG, particularly those affecting or relating to C/CAG's Legislative Program.
6. Tracking legislation and providing C/CAG advance notice, to C/CAG's satisfaction, of hearing or critical actions relating to those bills or issues in which C/CAG has expressed an interest.
7. Delivering letters, as directed by C/CAG, to appropriate committees and members of the Legislature, as well as to executive departments and/or State officials.
8. Preparing briefing materials, provide briefing/meeting space and arrange appointments for County Officials and City staff when those individuals travel to Sacramento in furtherance of C/CAG's Legislative Program.
9. Providing information and/or resources, as available, pertaining to State and Regional Agencies, (and, as reasonably available, pertaining to Federal agencies and legislation) as they affect C/CAG's legislative program.
10. Drafting of appropriate bill text and/or identification of appropriate legislative or administrative vehicles (e.g. spot bills, budget/trailer bills, discretionary action at an agency level, etc.) to carry out C/CAG's legislative goals.
11. Any reports, information, data, statistics, procedures, studies or other form of communication or knowledge provided by Advocacion shall be the full and exclusive property of C/CAG.
12. Provide all equipment and personnel to fulfill the requirements for representation of the C/CAG. Personnel shall include more than one support staff member. All staff costs will be paid for by Advocacion.
13. Contact appropriate city staff weekly, or more frequently as legislative program priorities dictate, to discuss progress, strategies or other issues.
14. Advocacion's legislative unit reads each piece of legislation, all amendments, agency regulations, announcements of hearings and will provide C/CAG with those materials which merit further review by them. Or, if C/CAG prefers to screen all legislation, we will work in conjunction with your staff for comprehensive screening and action.
15. Advocacion's legislative unit will maintain a "Bill File" on each piece of legislation introduced in the state legislature. We will provide copies of all proposed or enacted legislation or regulations to C/CAG upon request.
16. Advocacion will assist C/CAG in its working relationships with the Governor's Office on relevant matters.
17. Advocacion will arrange meetings with members of the state legislature, constitutional and administration officials to discuss matters related to C/CAG and its legislative agenda.
18. Advocacion will visit and make presentations to C/CAG on state legislative activities on an as-needed basis, but at least once annually.

### **Conflicting Views**

Over the many years of service to our clients, we have rarely had problems with respect to conflicts of interest or conflicting views among clients. Even in representing both cities and counties, various special districts, premier developers and numerous corporations, we have rarely if ever had a drastic or severe issue(s) that have led clients to have conflicts. Many conflicts can be avoided by identifying key issues and philosophies before a particular client retains our services.

In the event there is a conflict, we communicate the matter to the affected clients and see what kind of compromise can be reached. In the event there is no compromise or available solution, we never pursue a course of action adverse to the interests of any of our clients. We attempt to develop an understanding and solve each matter on a case-by-case basis.



CLINE & DUPLISSEA


November 12, 2007

Diana Y. Shu  
C/County Association of Governments  
of San Mateo County  
555 County Center, 5<sup>th</sup> Floor  
Redwood City, CA 94063

Dear Ms. Shu:

Cline & Duplissea wishes to thank you for your kind invitation to bid for Legislative Advocacy Services for C/CAG. However, we are declining to submit a proposal at this time. Wes Lujan, who currently represents C/CAG provides excellent service and as we know you are in competent hands we wish you well in your future endeavors with Wes.

Sincerely,



William P. Duplissea  
CLINE & DUPLISSEA

**From:** "Paul Yoder" <paul@shawyoder.org>  
**To:** <dshu@co.sanmateo.ca.us>  
**Date:** 11/8/2007 5:16:45 PM  
**Subject:** Re: C/CAG RFP

Diana,

We have decided not to submit a proposal. Thank you for thinking of us and good luck with your process!

-Paul

----- Original Message -----

From: Diana Shu <dshu@co.sanmateo.ca.us>  
To: Paul Yoder  
Sent: Fri Nov 02 12:23:47 2007  
Subject: C/CAG RFP

Hi Paul,

Our agency, C/CAG, recently sent out an RFP to your firm. I am just checking to see if you have received the package. It was sent to Paul Yoder on Oct 29, 2007.

If not, please accept a soft copy of the RFP for your review and consideration.

Thank you,  
Diana

**CC:** "Josh Shaw" <josh@shawyoder.org>